

Subject:	Adoption of Procedure for dealing with referrals from the Public Services Ombudsman for Wales
Meeting:	Standards Committee
Date:	10th June 2024
Divisions/Wards Affected:	All

1. PURPOSE

- 1.1 For the Standards Committee to adopt a procedure to deal with investigation reports referred to it by the Public Services Ombudsman for Wales (PSOW).

2. RECOMMENDATIONS

- 2.1 That the Standards Committee adopts the procedure for dealing with referrals from the Public Services Ombudsman for Wales, attached to this report as Appendix 1;

3. KEY ISSUES

- 3.1 Under Part 3 of the Local Government Act 2000 (“the Act”) on receiving a complaint, the PSOW has powers to investigate the behaviour of elected and co-opted members of Monmouthshire County Council and town/community councils within the boundary of the County of Monmouthshire.
- 3.2 Following the commencement of an investigation:
- (a) the PSOW may cease such an investigation and refer the matter to the Council's Monitoring Officer (under section 70(4) of the Act). The Monitoring Officer must then investigate the matter and report on the conclusion of his/her investigation to the Standards Committee; or
 - (b) more usually, the PSOW will undertake its own investigation and then refer the matters which are the subject of the investigation to the Monitoring Officer (under section 71(2) of the Act), for reporting to the Standards Committee for them to make a determination as to whether or not there has been a breach of the Code of Conduct, and if so, whether or not a sanction should be imposed.
- 3.3 The Standards Committee (“the Committee”) is required to have a procedure in place for dealing with such referrals as set out above. A draft procedure is attached to this report as Appendix 1. If adopted, the functions under this procedure may be delegated to a sub-committee of the Standards Committee established in accordance with this procedure.

4. REASONS

- 4.1 To ensure the Committee has a procedure in place to deal with referrals from the PSOW under Part 3 of the Act.

5. RESOURCE IMPLICATIONS

- 5.1 Co-opted standards committee members are entitled to expenses amounting to £210 per day (over 4 hours) and £105 per half day (up to 4 hours). The chair of the Committee is entitled to £268 per day (over 4 hours) and £134 per half day (up to 4 hours).

6. WELLBEING OF FUTURE GENERATIONS IMPLICATIONS (INCORPORATING EQUALITIES, SUSTAINABILITY, SAFEGUARDING AND CORPORATE PARENTING)

- 6.1 No implications.

7. BACKGROUND PAPERS

Appendix 1 – Procedure for dealing with referrals from the Public Services Ombudsman for Wales

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